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SUMMARY RECORD OF THE 10th MEETING

Held at the Palais des Nations, Geneva,
on Friday, 23 March 2001, at 3 p.m.

Chairperson: Mr. DESPOUY (Argentina)

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The meeting was called to order at 3.20 p.m.

STATEMENT BY THE MINISTER FOR LAW, JUSTICE AND HUMAN RIGHTS OF PAKISTAN

1. Ms. JAMIL (Pakistan) said that her country's founder had envisioned Pakistan as a prosperous and democratic Islamic State. In recent years, however, its institutions had been eroded, with massive overstaffing and national resources diverted from basic services to fund civil service salaries.

2. The current Government was characterized by heightened gender-sensitivity. For the first time in Pakistan's history, several women had been appointed to key decision-making positions and a National Commission on the Status of Women had been established. Moreover, the law had been amended to enable women married to foreigners to claim Pakistani citizenship for their children. Remarkably, women had been allocated 33 per cent of the seats in local councils, with 44,000 of them thus being on the verge of political empowerment.

3. The new Government was seeking to strengthen the prison service, judiciary and police. Thousands of persons awaiting trial had been held in prison for periods longer than the sentences they could receive for the crimes they had committed. Makeshift courts were thus being set up in the vicinity of the prisons to ensure speedy access to due process, particularly for women prisoners and juvenile offenders. Since the judiciary had also suffered neglect in recent years, the Government was instituting measures to improve its working methods.

4. As for the police forces, they had been rendered so operationally incapable under the previous Government that a blood test in their laboratories could serve only to differentiate between samples of "animal" or "human" origin. Crime - such as murder, car theft, abductions and violence against women - had reached a height, as had police corruption and political patronage of criminals. Law and order had deteriorated to such an extent that terrorism had begun to take a hold on society. Police reforms were thus a serious priority for the current Government.

5. On health, the archaic Lunacy Act of 1912 had been replaced by the Mental Health Ordinance of 2001. Persons attempting suicide would henceforth be treated in psychiatric facilities. Moreover, the right of consent to treatment of a mentally disturbed patient would no longer be overridden by a relative, but would require the recommendation of two psychiatrists.

6. Her Government attached the highest priority to reviving the economy and combating mismanagement and corruption. Sustained economic growth would, however, require a major restructuring of Pakistan's heavy external debt, as well as improved market access.

7. Despite external and domestic constraints, her Government was vigorously pursuing a poverty-alleviation programme. Resources were being diverted from defence to social services, with a focus on improving public health. Other measures included: employment-generation, the introduction of microcredit schemes, the launching of rural and urban development programmes in the poorest districts, the restructuring of major civilian and revenue-generating institutions, and the introduction of corporate management structures in public sector organizations.

8. Faced with some serious incidents of sectarian violence, the Government had recently initiated a dialogue with all the religious parties in the country. The display of arms had been banned, as had public fund-raising for religious parties. The recent execution of a diehard sectarian terrorist had sent a clear signal to the public that nobody was above the law.

9. An ambitious human rights and social agenda was also being pursued with the cooperation of civil society. As follow-up to the first National Convention on Human Rights and Human Dignity held the previous year, legislation had been promulgated to abolish the death penalty for minors, child labour rehabilitation centres were being established, the indiscriminate use of bar fetters had been banned, and a permanent commission to undertake police and prison reforms had been established.

10. Pakistan's socio-economic problems had been exacerbated by the prolonged conflict in Afghanistan. The country continued to host more than 2 million Afghan refugees and there had been a consequent increase in religious extremism and an inflow of arms. The country's adversaries resorted to terrorist violence and lawlessness and also sought to defame Pakistan in the international arena.

11. Her Government had made great efforts to moderate and modify the policies of the Taliban, including during the recent desecration of Buddhist statues in Afghanistan. With a view to promoting peace, stability and prosperity in South Asia, the international community must, indeed, engage with the Taliban Government. It was, after all, a reality, given that it exercised control over 90 per cent of the country. The Commission must also help generate an adequate response to the major humanitarian crisis unfolding in Afghanistan, which would have serious repercussions for Pakistan.

12. A resolution of the dispute over Jammu and Kashmir was also essential to peace in the subregion, especially since it could become a nuclear flashpoint. Her Government had, for its part, unilaterally withdrawn its troops on two occasions, had exercised maximum restraint along the line of control, and stood ready to engage in unconditional talks with all parties. The right of the Kashmiri people to self-determination must not be obliterated by the use of brutal military force and human rights violations on the part of India. Since India and Pakistan had never been able to resolve any major dispute bilaterally, the international community must engage constructively with both sides. The Commission must not eschew that responsibility.

13. Lastly, she paid warm tribute to the High Commissioner, expressing surprise and regret at her decision not to seek a second term of office.

RACISM, RACIAL DISCRIMINATION, XENOPHOBIA AND ALL FORMS OF DISCRIMINATION (agenda item 6) (continued) (E/CN.4/2001/20, 21 and Corr.1 and 22; E/CN.4/2001/NGO/5, 11, 28, 38, 41, 57, 58, 61, 62, 73, 155, 162 and 164; E/CN.4/Sub.2/2000/11 and Corr.1; A/55/304)

14. Mr. GUILLERMET (Costa Rica), having endorsed the statement made by the representative of Mexico on behalf of the Group of Latin American countries, said that respect for human rights lay at the heart of his country's foreign policy. Costa Rica had formed its

identity as a multicultural and multi-ethnic nation thanks to the contribution made by distinct ethnic groups such as those of Afro-American descent, the indigenous communities and migrant groups.

15. The Costa Rican Congress was studying the possibility of adopting a bill to reform article 1 of the country's Constitution so as to establish and recognize its multi-ethnic and multicultural character. A wide-ranging consultative process, which had been held in that connection in the autumn of 2000, had resulted in the development of a national policy to combat racism, racial discrimination, xenophobia and all forms of discrimination, which would shortly be introduced by the country's President.

16. Costa Rica considered that the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, to be held in South Africa, later in the year, would be of great importance, and expressed the hope that the efforts made both during its preparation and at the Conference itself would result in recommendations of universal value as well as helpful tools to prevent and combat modern forms of racism, racial discrimination, xenophobia and related intolerance.

17. Mr. REYES RODRÍGUEZ (Cuba) said that new and more sophisticated forms of racism, racial discrimination and xenophobia were appearing and becoming stronger in various parts of the world. They were most alarming, perfidious and subtle in the industrialized countries of Western and Eastern Europe and North America, where ultra-rightist and neo-fascist ideas were gaining ground. In some countries racist political groups were even financed out of State budget resources. Cuba called upon all States to implement forthwith article 4 of the International Convention on the Elimination of All Forms of Racial Discrimination.

18. Manifestations of racism were generated and aggravated by various factors, including the unequal distribution of wealth within countries and the widening gulf separating the North from the South, as well as the worsening economic situation resulting from the liberalization of markets and the globalization of the world economy. Racial and ethnic minorities and migrants were the victims not only of verbal and physical violence by extremist groups but also of institutionalized racism on the part of repressive police forces. Greater attention should be paid to the way in which the Internet was being used to spread ideas based on racial superiority and hatred.

19. Of all the countries in the world none provided a better example of the systematic institutionalization of racism than the United States of America, in which people of African descent were denied formal recognition of their civil and political rights until barely three decades previously. The average annual income of a white family in the United States was still about double that of an Afro-American family. Black men were 13 times more likely than white men to receive long prison sentences in drug-related cases, even though most of the drug traffickers were white. Afro-American and Hispanic populations in the United States were subjected to environmental racism, deprivation of their patrimony, exclusion and segregation. As a matter of urgency, the Commission should call on the Government of the United States of America to put an end to its State racism.

20. In some countries of Eastern Europe, particularly the Czech Republic, the Roma minority was subjected to racial discrimination and violence.

21. The World Conference could be a turning point in compensating the victims of racism. Slavery and the transatlantic African slave trade and its current consequences should be regarded as crimes against humanity, and the victims and their descendants should thus receive the moral vindication they deserved as well as proper compensation in accordance with the internationally recognized regulations.

22. Ms. KUNADI (India) said that her country's preparations for the World Conference had been enriched by the establishment of a national committee made up of leading thinkers, sociologists and academics, which was to engage in wide-ranging consultations with the members of civil society. India wanted the World Conference to be focused, constructive, forward-looking and devoid of recrimination. That would be possible only if everyone concerned showed the courage and sagacity to face up to the heinous racist acts of the past. Careful consideration should, however, be given to the desirability of an approach which could become mired in the past, seeking solutions that might serve merely to reopen old wounds. Enough time must be allowed to give attention to the serious current manifestations of racism.

23. Apart from theories of racial superiority, there were a number of important sources and causes of racism and racial discrimination. They included glaring economic disparities between various parts of the world, bigotry, chauvinism and violence in the name of distorted religious values, the absence of democracy, constitutional order and the rule of law, political concepts in which foreigners were regarded as rivals or competitors, and immigration, citizenship and refugee laws with racist overtones. Modern communications technologies, including the Internet, were also a convenient tool in the hands of those spreading racial hatred.

24. Her Government was strongly opposed to the deliberate attempt by some to dilute the focus of the World Conference by broadening its scope to forms of discrimination not related to racism and racial discrimination. The World Conference should call for effective recourse and remedies for victims of racism and racial discrimination, should encourage the promulgation of stringent national legislation against racism and its strict implementation, the setting up of independent national institutions and the introduction of affirmative action in respect of disadvantaged segments of the population, and should pay special attention to the adverse impact of racism and racial discrimination on vulnerable groups, such as women, children, refugees and racial, national and linguistic minorities. The World Conference should focus on the important role of education and information in changing social attitudes and should encourage the mass media to promote ideas of tolerance and understanding among peoples.

25. There was a need for urgent steps to invigorate action at the national level against racism and racial discrimination. United Nations activities in that arena had, regrettably, always been starved of finances. The Office of the High Commissioner for Human Rights (OHCHR) had, however, taken a number of initiatives in the run-up to the World Conference, and her Government hoped that those initiatives would be further advanced and not allowed to fade away afterwards. The Indian delegation would work tirelessly to ensure that the World Conference did not restrict itself to pious words and lofty ideals but would be able to initiate actions with a long-lasting impact.

26. Mr. JAKUBOWSKI (Poland), having associated his delegation with the statement by the observer for Sweden on behalf of the European Union, said that his Government firmly believed that the international community would be able to overcome the differences of opinion which had emerged during the preparatory process of the World Conference, and would make it a success.

27. In July 2000, his Government, in cooperation with OHCHR, had hosted a regional seminar of Central and East European experts to discuss the protection of ethnic minorities and ways of strengthening human rights at the national level in the run-up to the World Conference. The discussion had focused on intolerance and racism in Central and Eastern Europe with particular reference to discrimination against ethnic minorities, immigrants and asylum-seekers and anti-Semitism. The participants had highlighted instances of ethnic and national consciousness flickering into life in apparently homogeneous societies, but had emphasized that national awakening had not everywhere exploded into conflict and ethnic violence.

28. The countries which, after the collapse of Communism, had rebuilt their democratic institutions and human rights protection systems had succeeded in rolling back serious internal tensions, and nowhere had the parties that were committed to crude, flag-waving nationalism, racism and anti-Semitism asserted their influence on State policies. Poland, which placed a high value on the ideals of open civil society, did its utmost to counter such threats by means of legislation, improved administrative practices, special educational programmes, and local governmental and non-governmental initiatives.

29. Mr. ATTAR (Saudi Arabia) welcomed the efforts that had been made to prepare for the World Conference, and particularly the role of the High Commissioner for Human Rights as its Secretary-General. His Government hoped that the World Conference would be successful in adopting, by consensus, a practical and comprehensive Declaration and Programme of Action which reflected the anxieties, views and aims of all States and expressed the concerns of regional groupings. Everyone had an obligation to oppose all ideologies based on racial superiority and intolerance.

30. Saudi Arabia was gravely concerned at the widespread manifestations in some societies of discrimination against adherents of Islam and at the attempts to associate Islam with negative phenomena such as terrorism and intolerance. All such attempts, and particularly those made by some non-governmental organizations (NGOs) and some of the mass media, were acts of discrimination against Islam as a religion and against its adherents as human beings. They had to be thwarted, especially since those who were seeking to distort the image of Islam and Muslims were either acting on the basis of a deliberate misunderstanding or trying to further political aims.

31. His Government hoped, therefore, that the World Conference would produce universally acceptable results that reflected his country's apprehensions concerning continued discrimination against Islam and Muslims. It also hoped that the World Conference would produce a practical strategy that would form a basis on which to combat and eliminate all forms of racism through the adoption of educational and cultural policies that promoted the rejection of racist ideas, advocated equality, justice and tolerance for all, and encouraged national, regional and international cooperation to eliminate that odious phenomenon.

32. Mr. AL-THANI (Qatar) said he was looking forward to the forthcoming World Conference, which would demonstrate that the world community stood four-square against the flagrant abuses of human values witnessed in the twentieth century, with its toll of genocide and ethnic cleansing.

33. Islam, like the other revealed religions, had fought racism in all its forms. It had put an end to racial discrimination on the basis of class; had created a social order based on freedom and justice; and had developed mechanisms to promote and develop its values. The process of education must continue, however, and the media had a particularly important role to play in the struggle against ignorance and prejudice.

34. Mr. MOHAMED (Kenya), speaking on behalf of the African Group, said that the Group was committed to ensuring that the World Conference would make a tangible difference for victims and for all those vulnerable to racism, with specific measures to promote the noble principles of equality, tolerance and non-discrimination. It was, however, gravely concerned about the slow pace of the work of the inter-sessional open-ended working group of the Preparatory Committee, important though the procedural questions that had arisen were. If the backlog was to be cleared, all delegations must show commitment in addressing issues of substance during the remaining sessions. The Committee Bureau should continue to meet and resolve any remaining procedural problems.

35. For the Conference to succeed, it must come up with some creative and effective ways of combating racism and related intolerance. All parties should therefore be ready to acknowledge that there had been historical injustices, particularly slavery and colonialism, that needed to be remedied. Only through such collective action could the memory of the past be healed and a common future charted. It was also important to take action to shield and protect victims and vulnerable groups from acts of racism, as well as devising measures to prevent their occurrence.

36. The African Group condemned the existence of new forms of racism. In particular, it wished to highlight the problem of extreme right-wing political parties and the role they played in promoting racism, xenophobia and intolerance. It was most regrettable that they were accorded legal status through registration and allowed to operate freely in spreading racist propaganda. There was a glaring contradiction between the legal sanction of such activities on the basis of freedom of speech and the legal and moral obligation to put an end to racism. It was to be hoped that the Conference would recommend a set of minimum standards regarding the use of the Internet to spread ideas of racial superiority and intolerance.

37. The Conference should also address the media's negative portrayal of Africa which entrenched racism still further. The Group would like to see the Conference recommend measures, including codes of conduct, to steer the media towards the objective coverage of events throughout the world.

38. Lastly, the Group welcomed the decision to hold an additional session of the open-ended working group, in the expectation that it would not get bogged down in procedural matters but would devote itself entirely to substantive issues. By the time the Conference began, as much consensus as possible would thus have been reached on the draft declaration and programme of action and the success of the Conference would thus be ensured.

39. Ms. AIT-MOHAMED PARENT (International Federation of Red Cross and Red Crescent Societies), having endorsed the statement made the previous day by the representative of the International Committee of the Red Cross (ICRC), said that her organization had long worked, directly or indirectly, against racism. At its twenty-seventh International Conference, an agreement had been reached to promote tolerance, non-violence in the community and respect for cultural diversity. Similarly, Strategy 2010 stipulated that the Red Cross and Red Crescent should defend individual and collective values and seek solutions for community problems, in close coordination with the ICRC. Many national societies had taken action to counter discrimination directed against asylum-seekers, immigrants, HIV/AIDS sufferers or disabled persons and to promote a culture of non-violence. Such action was in the hands of the 176 national societies, served by 97 million volunteers, a large majority of whom were women and young people. The young people were the most active in working against racism and setting up integration programmes such as those recently established in Colombia and France.

40. Mr. NORDMANN (Observer for Switzerland) said that, for the World Conference to produce a real impact, a number of criteria would need to be met. Action must be credible and coherent; measures should have a long-term perspective; flexibility should be shown in the face of new situations; a balance should be maintained between punishment and prevention; the necessary resources must be available; thought must be given to the treatment of those discriminated against; and NGO experience should be used to the full. At the Conference, his delegation would stress the importance of non-discrimination in times of armed conflict, with particular emphasis on the need to respect the Geneva Conventions.

41. His delegation was in favour of the establishment - or where they already existed the strengthening - of independent, specialized institutions, such as the Federal Commission against Racism in Switzerland. Such bodies could act as observation, information and statistical centres covering racial incidents and promoting research. They could also create links between various sectors of civil society. Above all, they should provide support for the victims of racist acts and for vulnerable groups.

42. The Internet was of great importance in the fight against racism. It could play a positive role, with the establishment of, for example, sites dealing with good practices or awareness-raising networks. His delegation was, however, concerned at the negative use to which the Internet could be put; it was essential that the World Conference find a coordinated international approach to dealing with the dissemination of racist material and incitement to racial hatred.

43. Lastly, all victims of racist acts should have access to the law and the right to compensation for any damage. To that end, his Government intended to make racist acts prosecutable under criminal law, in accordance with the recommendation of the Committee on the Elimination of All Forms of Racial Discrimination thus encouraging the victims of such acts to overcome the psychological obstacles to complaining to the police. Governments could do only so much, however. The struggle against racism should be waged every day by all institutions and by civil society in general.

44. Mr. KHORRAM (Observer for the Islamic Republic of Iran) said that, despite the international community's stated intention to combat racism and racial discrimination, ugly manifestations of racism, together with theories of racial and cultural superiority, persisted. It was to be hoped that much would be achieved by the World Conference. In that connection, he was proud that his country's contribution to the preparatory meetings had resulted in the Tehran Declaration and Plan of Action.

45. In the first place, particular attention should be paid to the fact that the principal objectives of the three Decades to Combat Racism and Racial Discrimination had not been attained. Secondly, a genuine acceptance of cultural diversity, and international efforts to promote understanding between different cultures, was essential if attempts at cultural domination were to be countered. Thirdly, the issue of Palestine and the plight of Palestinian refugees and displaced persons as victims of racism were another field of concern. Fourthly, Muslims generally were becoming targets of racist and xenophobic attacks and the phenomenon of Islamophobia should receive due attention. Fifthly, the misuse of new information technologies, such as the Internet, to propagate racial hatred was also a matter of concern.

46. Doctrines of racial superiority and political platforms based on racist attitudes should be eliminated, for they tended to widen the existing gap between the North and South. The latter was often denied its rights to equal opportunity when political and economic decisions were to be made. Equal participation by all countries in the formulation of a just and inclusive international order was an integral part of the struggle against racism.

47. Ms. BIGI (Observer for San Marino) said that, in an age of globalization, no country or society could remain indifferent to the problem of racism and racial discrimination and to the appalling acts of ethnic cleansing, genocide, slavery and physical or verbal violence that were taking place on a daily basis. The World Conference gave the international community an opportunity to confront the issue seriously and constructively. The preparatory meetings should not restrict themselves to words but be action-oriented and give States practical targets at which to aim.

48. Many aspects of future action were important, but her delegation considered the most crucial to be education, at the national and international levels. Educational systems should be based on respect for human rights; young people should be taught to overcome inherited prejudices and racist, ethnic or religious hostility; the history, culture and traditions of other peoples - particularly those considered the most marginalized and vulnerable - should be given proper attention; and all strata of society should be urged to develop an anti-racist communal awareness. Schools were important in that regard, but also the mass media and, above all, the Internet, which was both incredibly efficient and terribly dangerous.

49. Mr. MADI (Observer for Jordan) said that racism represented a serious violation of human rights. New forms had arisen, and ideologies of racial supremacy continued to grow. The misuse of new communication technologies such as the Internet for inciting racial hatred must be addressed at the international level. Islamophobia - a clear manifestation of xenophobia and intolerance - was of particular concern to the Muslim world. To combat racism, it was

necessary to emphasize peace, tolerance and education and to foster diversity. The World Conference presented an opportunity for the member States to renew their commitments to combat such phenomena and to make the Conference a milestone in the collective effort to create a better and more humane world. The lessons of the past must be drawn upon in the elaboration of action-oriented goals. A world in which racial harmony existed and diversity was respected was not too much to hope for.

50. Mr. MAUTNER-MARKHOF (Observer for Austria) said he hoped that the World Conference would provide strong recommendations on human rights education, which represented the best investment for fostering tolerance and respect for others. Convinced that legal provisions alone would not eradicate racism and xenophobia, his Government had introduced human rights courses into the schools, as well as special training programmes for the police, security personnel and the judiciary. Given the value to society of cultural diversity, the protection of minorities had been made a further priority, with legislative and other measures introduced to safeguard their language, culture and identity.

51. His Government was working for a world in which racism, anti-Semitism, xenophobia, Islamophobia and other forms of intolerance had no place. Austria had a higher rate of foreigners per capita and hosted more refugees and displaced persons than most European countries. Concerted efforts had been made fully to integrate such groups into society.

52. His delegation had taken note of the corrigendum to the report by the Special Rapporteur on Contemporary Forms of Racism, Racial Discrimination, Xenophobia and Related Intolerance (E/CN.4/2001/21/Corr.1). It did not, however, faithfully quote the words of the three sages (E/CN.4/2001/21, para. 4). He wished to emphasize once again that Austrian legislation strictly prohibited and criminalized neo-Nazi activities. Moreover, the Head of the Austrian Government and the Foreign Minister had strongly dissociated themselves from the cited statement by Jörg Haider (who was not, incidentally, the leader of the Freedom Party (FPO)). They had also publicly warned against political discourse capable of inciting anti-Semitism, racism or xenophobia.

53. Monsignor PEÑA (Observer for the Holy See) said that, at the dawn of the new millennium, the persistence of racism, racial discrimination, xenophobia and other forms of related intolerance was at the root of many of the ills of society. The decision to hold a World Conference on the subject reflected the determination of the international community to combat such phenomena which affected the basic rights of people everywhere.

54. The international community must not allow itself to forget the past, nor could it ignore the tragic predicament of current victims of racism. It was only by acknowledging the truth that a better world could be created: a world based on the solidarity of all the members of the human family. In a world marked by conflict and violence, dialogue was a vital tool for creating a civilization of love and peace. Education was also an important instrument for preventing racism, promoting human rights and fundamental freedoms and for fostering understanding, tolerance and friendship among all nations and groups.

55. Pope John Paul II had recently stressed the Church's role in defending human rights and combating discrimination and had underlined the importance to society of spiritual and religious values. The Holy See and the Catholic Church were taking concrete action with respect to education: there were currently 170,000 Catholic schools in the world, 30,000 of them in Europe alone.

56. Mr. SALAMA (Observer for Egypt) said that international cooperation on human rights was essential in the fight against racism. As the world shrank, intolerance and xenophobia paradoxically grew. The World Conference was but one step in a major undertaking to which effective follow-up would be essential. It was vital, too, that the diverse concerns and views of the different regions of the world should be fully reflected in the programme of action. In the preparatory process, the importance of mutual understanding and dialogue could not be overemphasized. All regions agreed on the importance of learning lessons from the past and of facing up to current responsibilities. In that connection, the occupation of Palestine by Israel was a clear manifestation of racism.

57. Mr. SFEIR-YOUNIS (World Bank) said that the forthcoming World Conference was fundamental to the future of humanity. Access to opportunities, empowerment and inclusion represented just three of the many avenues to a world free from racism and discrimination. During the preparation process for the Conference, all actors had been made aware of the importance of their mandates and all affected groups had been identified. Although some remedies had been outlined, special attention was required to select the most effective instruments for eliminating that human malaise once and for all. The Bank would continue to assist developing countries in moving towards that goal.

58. In preparing for the Conference, it was important to recognize that racism and discrimination represented a global problem linked directly to the violation of human rights, that development resources did not always reach the most vulnerable population sectors and that the targeting of blame would result only in single issues politics.

59. The Bank had made important contributions towards eliminating racism and discrimination, particularly through programmes benefiting women and minorities. The elimination of discrimination, racism and xenophobia was not only a matter of distributive justice but was central to the sustainability of peace, social stability and economic development everywhere. In that context, good economics had helped many societies to eradicate those problems.

60. The Bank could play a vital role in assisting with the formulation and implementation of agreements and in providing assistance to Governments in their efforts. Country ownership of programmes was essential, since solutions depended on the participation of those directly affected. It was necessary to focus on the issue of affordability to ensure that anti-discrimination programmes actually enhanced the material well-being of people.

61. The Bank had an important role to play in activities associated with the World Conference, particularly in view of its mandate on poverty eradication, its new rural development policy, its gender-discrimination and indigenous peoples policies, its assistance in the strengthening and reform of justice systems, its microcredit programmes, its assistance to small and medium-sized enterprises, and its focus on environmentally sustainable development.

62. Under its current President, the Bank had endeavoured to address the distortions of the past. In particular, a Task Force on Racial Equality had been created (in 1998) and a mentoring programme for black staff launched. A "Corporate Day Dialogue on Race and Prejudice" had also been held at the Bank.

63. The World Conference would be an event for the soul with the potential to affect the tone of future social relations. The existence of racism and discrimination was indeed due to a crisis of identity. The weaker the human experience of unity, the more fragile the attempt to live in diversity. The international community must therefore embark on a process of reconciliation which was both individual and collective. The strength of the United Nations system lay in its institutional diversity and it was vital that the various mandates be linked together into a strong coalition for change, with a view to promoting an inclusive society.

64. Mr. TEKLE (Observer for Eritrea) said that new forms of racism were emerging in many parts of the world. In some instances, one ethnic group had a total monopoly of power, the other groups being marginalized and exposed to mass starvation and disease while their lands were plundered by the ruling group. Such narrow ethnic nationalism also impelled the State in question to disregard international law and intervene militarily in neighbouring States. That, in its turn, led to massive displacements of populations and to the imprisonment and torture of persons on ethnic grounds. As was evident in the Horn of Africa, such ethnic States were detrimental to the peace and security of a region. The international community must thus take the appropriate collective steps to discourage the creation of such States.

65. Mr. AL-ADSANI (Observer for Kuwait) said that tolerance prevailed in his country for the Constitution permitted no discrimination on the basis of sex, origin or religion and children were taught the importance of observing human rights.

66. He agreed with the representative of the ICRC that the international community should discuss the issue of racism and manifestations thereof in times of both peace and war. Prisoners of war should be protected by law from discrimination and countries that abused such prisoners should be punished. The United Nations should increase its efforts to combat racial discrimination and encourage States to implement the Conventions they had signed.

67. Mr. KARIYAWASAM (Observer for Sri Lanka) said that racial bigots were exploiting the ethnic diversity of some societies to promote violence and terrorism. Such violence could spill over into other countries. It was essential, therefore, to promote tolerance and the forthcoming World Conference should provide guidance towards achieving that aim.

68. Promotion of harmonious ethnic relations with a new vision for nationhood was one of his Government's top priorities. To that end it had embarked on a series of Constitutional amendments designed to correct the anomalies it had inherited from the colonial period so as to ensure equality and further devolution of power.

69. The national integration policy of Sri Lanka involved a framework for unity within diversity, enabling ethnic groups to remain distinct while developing mechanisms for closer interdependence. Priority was being given to countering the advocacy of ethnic hatred and to the promotion of a culture of peace, human rights and equality of treatment. Education was the key to tolerance. Rejection of the use of force as a political weapon was essential because violations of human rights and suppression of dissent by so-called liberators had become a serious concern.

70. Mr. SUNGAR (Observer for Turkey) said that the resurgence of racism, xenophobia and all forms of racial discrimination presented a permanent challenge to the most fundamental human rights and freedoms. In spite of the success in the elimination of institutional forms of discrimination such as apartheid, the international community still experienced mounting waves of bias, exclusion, racism and violence. In addition, contemporary forms of racism constituted a major threat to friendly relations among nations and to peace among peoples. His delegation was greatly concerned at the spread of racism and xenophobia, particularly in Western societies. Migrant communities were the main targets of discrimination and intolerance, and such acts hampered their integration into society.

71. Racism had always been at the root of crimes against humanity, including ethnic cleansing. The international community and the Commission were thus faced with the task of preventing racist atrocities; the forthcoming World Conference would provide an appropriate platform. Indeed, international cooperation and solidarity was essential to building and maintaining a world free of all forms of racial discrimination. Turkey, for its part, had commenced the process of ratifying the International Convention on the Elimination of All Forms of Racial Discrimination.

72. Mr. KIM Yong Ho (Observer for the Democratic People's Republic of Korea) said that the less developed nations had often been discriminated against and exploited by more developed ones because of the difference in their levels of development. Unless efforts were made to analyse the consequences of discriminatory policies, it would be impossible to eradicate the causes.

73. The Korean people had long been the victims of racial discrimination and had suffered greatly under Japanese colonial rule during the first part of the twentieth century. Japan had unfortunately never accepted responsibility for the suffering it had caused and, indeed, was distorting history with a view to hiding its criminal past. At its fifty-eighth session, the Committee on the Elimination of Racial Discrimination had, in fact, expressed concern at xenophobic statements made by senior Japanese officials and at the discrimination of which Koreans were currently the victims in employment, education and access to social welfare. It had urged the Japanese Government to take measures to prevent and eliminate such practices.

74. The Korean people were also being discriminated against by the West simply because they sought to maintain their own ideology. Accordingly, his delegation was looking forward to the World Conference in hopes that it would help come up with solutions to the overall problem of racial discrimination.

75. Ms. MALUWA (Joint United Nations Programme on HIV/AIDS (UNAIDS)) said that there was a clear link between discrimination and HIV/AIDS, for people who were known or suspected to be infected could be refused employment, education or health services. One young woman in South Africa had even been stoned to death because she was HIV positive. Discrimination against people living with HIV/AIDS was a violation of their human rights. The Commission itself had agreed that the non-discrimination provisions of international human rights instruments, which prohibited discrimination on a variety of grounds, including "other status" were to be interpreted as including health status.

76. Although the link between HIV/AIDS and racism was not so clear, the fact was that the overwhelming majority of people infected with the HIV virus lived in the developing world and life-prolonging therapy was largely inaccessible to them, in terms of availability and affordability. Accordingly, she hoped that the forthcoming World Conference would consider, inter alia, the interrelationship between racism, racial discrimination and xenophobia on the one hand and HIV/AIDS infection and transmission on the other, as well as the legal remedies available to those subjected to cumulative discrimination caused by HIV/AIDS, racism and racial discrimination.

Statements made in exercise of the right of reply

77. Mr. TUHIN (India) said that the Commission had heard the Minister of Law, Justice and Human Rights of Pakistan say that the generals who had overthrown the democratically elected Government in that country would restore democracy there. Political scientists around the world must be fascinated by the unique experiment that Pakistan was engaged upon.

78. India's desire for peace had not been reciprocated. When the Indian Prime Minister had made a path-breaking journey to Pakistan in1999 to seek peace, Pakistan had responded with aggression in the Kargil sector of the Indian State of Jammu and Kashmir. His Government's repeated extensions of a unilateral ceasefire had been met by heightened activities of terrorist groups aided by Pakistan operating from the territory of Pakistan. There was no alternative to bilateral dialogue to resolve all outstanding issues between the two countries. Although Pakistan claimed to be willing to enter into such dialogue, the intensification of the cross-border attacks were hardly indicative of the sincerity of its words.

79. Mr. I. HUSSAIN (Pakistan) said he was pleased that the representative of India accepted the validity of bilateral dialogue as a means of resolving the issues. Perhaps he should pass his wisdom on to the political leadership in his country, for it was India that had repeatedly failed to respond to Pakistan's calls for a dialogue. In February 2001, the Government of Pakistan had said that it was willing to resume the dialogue at the trilateral level and expressed its willingness to participate in a dialogue process with the Kashmiri leaders. It would be interesting to know who had stopped the Kashmiri leaders from coming to Pakistan in preparation for such a dialogue.

80. The real issue was one of the right to self-determination. Kashmir was not part of India; it was a disputed territory and his delegation was seeking a peaceful solution.

81. Just as the representative of India was concerned about the situation in Pakistan so his own delegation was concerned about the behaviour of Hindu fundamentalists in India and discrimination against Christians and Muslims in that country. There were currently 17 insurrections going on in India, which were being brutally repressed by the army.

82. Mr. PRASAD (India) said that, like any other country, India had its problems, but they were not the problems that Pakistani propaganda suggested. India was a democracy and dealt with its problems in a transparent fashion. The problem with Pakistan was that it had an unrepresentative, military regime that was ill-equipped to deal with such problems.

83. Mr. I. HUSSAIN (Pakistan) said that the best way for India to respond to the Commission's concerns would be for it to allow the special rapporteurs to visit the Indian-held territory of Kashmir. As for the Indian references to terrorism, his own delegation had repeatedly pointed out that occupying Powers invariably described freedom fighters as terrorists. To stigmatize the popular uprising of the people of Jammu and Kashmir for the sake of self-determination as terrorism was an attempt to block progress towards the settlement of the Kashmir dispute and a gross misunderstanding of international law.

The meeting rose at 6.05 p.m.